

under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

RESOLVED, That, unless rescinded by a succeeding legislature, this application by the 85th Texas Legislature constitutes a continuing application in accordance with Article V of the United States Constitution until at least two-thirds of the legislatures of the several states have applied to Congress to call a convention for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

RESOLVED, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the House of Representatives and the president of the Senate of the Congress of the United States, and to all members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as an application to Congress for a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

RESOLVED, That the Texas secretary of state forward official copies of this resolution to the secretaries of state and to the presiding officers of the legislatures of the several states with the request that they join this state in applying to Congress for a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

Adopted by the Senate on February 28, 2017: Yeas 20, Nays 11; the Senate concurred in House amendments on May 10, 2017: Yeas 20, Nays 10; adopted by the House, with amendments, on May 4, 2017: Yeas 94, Nays 51, two present not voting.

Filed with the Secretary of State May 11, 2017.

**PROPOSING A CONSTITUTIONAL AMENDMENT
AUTHORIZING THE LEGISLATURE TO REQUIRE A COURT
TO PROVIDE NOTICE TO THE ATTORNEY GENERAL OF A
CHALLENGE TO THE CONSTITUTIONALITY OF A STATE
STATUTE AND AUTHORIZING THE LEGISLATURE TO
PRESCRIBE A WAITING PERIOD BEFORE THE COURT MAY
ENTER A JUDGMENT HOLDING THE STATUTE
UNCONSTITUTIONAL**

S.J.R. No. 6

A JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article V, Texas Constitution, is amended by adding Section 32 to read as follows:

Sec. 32. Notwithstanding Section 1, Article II, of this constitution, the legislature may:

(1) require a court in which a party to litigation files a petition, motion, or other pleading challenging the constitutionality of a statute of this state to provide notice to the attorney general of the challenge if the party raising the challenge notifies the court that the party is challenging the constitutionality of the statute; and

(2) prescribe a reasonable period, which may not exceed 45 days, after the provision of that notice during which the court may not enter a judgment holding the statute unconstitutional.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies with respect to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period, not to exceed 45 days, before the court may enter a judgment holding the statute unconstitutional.

(b) Section 402.010, Government Code, as added by Chapter 808 (H.B. 2425), Acts of the 82nd Legislature, Regular Session, 2011, and amended by Chapter 1162 (S.B. 392) and Chapter 1276 (H.B. 1435), Acts of the 83rd Legislature, Regular Session, 2013, is validated and effective on approval of the constitutional amendment described by Subsection (a) of this temporary provision and applies only to a petition, motion, or other pleading filed on or after January 1, 2018.

(c) This temporary provision expires January 2, 2018.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional."

Adopted by the Senate on May 1, 2017: Yeas 30, Nays 1; adopted by the House on May 23, 2017: Yeas 136, Nays 9, two present not voting.

Filed with the Secretary of State May 25, 2017.

PROPOSING A CONSTITUTIONAL AMENDMENT LIMITING THE SERVICE OF CERTAIN OFFICEHOLDERS AFTER THE EXPIRATION OF THE PERSON'S TERM OF OFFICE

S.J.R. No. 34

A JOINT RESOLUTION

proposing a constitutional amendment limiting the service of certain officeholders
after the expiration of the person's term of office.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 17, Article XVI, Texas Constitution, is amended to read as follows:

Sec. 17. (a) Except as provided by Subsection (b) of this section, all [AH] officers of [within] this State shall continue to perform the duties of their offices until their successors shall be duly qualified.

(b) Following the expiration of a term of an appointive office that is filled by appoint-